



**OFFICE OF THE GOVERNOR
AMERICAN SAMOA GOVERNMENT**

EXECUTIVE ORDER 002- 2022

**AN ORDER ESTABLISHING THE AMERICAN SAMOA COUNCIL ON THE ARTS,
CULTURE, AND HUMANITIES**

Section 1: Authority

This executive order is hereby issued in accordance with the powers and authority granted to the Governor by Article IV, Sections 6 and 7 of the Revised Constitution of American Samoa, and the American Samoa Code Annotated, Sections 4.0111 (b) and 4.0302(a).

Section 2: Preamble

WHEREAS, the government and people of American Samoa seek to preserve and celebrate the Samoan art and culture.

NOW THEREFORE, I, LEMANU P. S. MAUGA, Governor of American Samoa, by virtue of the authority vested in me by the Revised Constitution of American Samoa and the American Samoa Code Annotated, hereby execute this order.

Section 3: Establishment of the Council

There is hereby established in the Office of the Governor the American Samoa Council on the Arts, Culture, and Humanities (hereinafter referred to as "Council"). The Council's powers, duties, and responsibilities shall be provided for under the provisions of this order, and subject to the ultimate authority of the Governor.

Section 4: Purpose

- (a) The purpose of the Council shall be for the establishment and formulation of a general policy for the promotion, advancement, and maintenance of the arts, humanities, museum, and the Samoan culture. The Council shall also endeavor to sponsor training programs in the arts and humanities not only for American Samoa, but also conduct intercultural exchange programs and art performances with other states, countries, and societies, if applicable and permissible under local and federal laws.

- (b) The Council may establish programs in American Samoa in artistic cultural activities, including but not limited to music, theater, dance, painting, sculpture, architecture, arts and crafts, and non-Samoan arts, and to also make recommendations concerning appropriate methods to encourage participation in an appreciation of the arts.
- (c) The Council shall take steps necessary and appropriate to encourage public interest in the cultural heritage of the Territory and to expand the Territory's cultural resources.
- (d) The Council shall encourage and assist freedom of artistic expression essential for the well-being of the arts.

Section 5: Membership, Terms, Meetings

- (a) The Council shall consist of seven members appointed by the Governor from among the residents of American Samoa. The members of the Advisory Board shall serve at the pleasure of the Governor and based on availability of the Council's budget, shall receive compensation for their services, and shall be entitled to travel pay per diem when travelling on official business at the discretion of the Executive Director.
- (b) The Governor shall designate a Chairman and Vice-Chairman from the members of the Council to serve as such at the pleasure of the Governor.
- (c) The Council shall meet at least five times during each fiscal year or whenever necessary at the request of the Governor. Four members shall constitute a quorum in order to conduct business. Remote meetings via conference call or video conferencing technology is allowed for the purpose of official meetings.
- (d) The Council shall provide the Governor with a copy of the minutes of each meeting of the Advisory Board.

Section 6: Executive Director and Professional Staff

- (a) There is hereby established a professional staff which shall administer the decisions and policies of the Council.
- (b) The professional staff shall be headed by an Executive Director who shall be appointed by the Governor and shall serve at the pleasure of the Governor. The Executive Director shall also serve as an ex-officio member of the Advisory Board.
- (c) The wages and salaries of the Executive Director shall be set by the Governor. All wages and salaries of the professional staff shall be set in accordance with the regulations of the Department of Human Resources.

Section 7: Powers and Duties of the Council

- (a) The Council shall establish bylaws for its operations
- (b) The Council shall determine and approve procedures and policies on all program development for the promotion and advancement of the arts, humanities, and all aspects of the Samoan Culture, as well as the intercultural exchanges of the arts and humanities among other countries and societies.

Section 8: Powers and Duties of the Executive Director

- (a) The Executive Director shall develop and prepare applications for all federal grants, subject to the approval of the Governor, and in this connection, the Council acts as a state agency for the purpose of fulfilling all necessary requirements as provided for under the provisions of the National Foundation on the Arts and Humanities Act (2 USC § 951 *et. seq.*) and other applicable regulations and laws of the Federal Government.
- (b) The Executive Director, on behalf of the Council, may accept gifts, donations, bequests, or devises of money or other property, personal or real, with or without condition, in support of its general purpose and objectives.
- (c) The Executive Director shall prepare an annual budget to carry out the Council's established policies and programs; review on a quarterly basis all its program activities and operations; provide annual budget to carry out its established policies and programs; provide annually a post auditor all its financial transactions for each fiscal year; and submit an annual report for each fiscal year to the Governor no later than January 1st of each year. Prior to submission to the Governor for final approval, each of the aforementioned reports, budgets, and reviews are to be submitted to the Advisory Board for preliminary approval.
- (d) The Executive Director shall exercise all other duties and responsibilities not inconsistent with applicable rules, regulations, and laws of American Samoa and the United States.

Section 9: Relationship with the Museum of American Samoa

The Council shall coordinate activities with the Museum of American Samoa and its Board of Trustees, but it shall have not authority over the Museum. Any funds or property of the Museum shall be overseen by the Museum Board of Trustees in accordance with Title 17, Chapter 4 of the American Samoa Code Annotated.

Section 10: Repealer

This order supersedes Executive Order 011-2020.

Section 11: Effective Date

This order shall take effect immediately.

Date: May 12, 2022

A handwritten signature in black ink, appearing to read 'L. Mauga', is written over a horizontal line.

Lemanu P. S. Mauga
Governor of American Samoa